

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF PENNSYLVANIA

ANTHONY HAMMOND MURPHY and
BLAIR DOUGLASS,

Plaintiffs,

v.

CHARLES TYRWHITT, INC.,

Defendant.

Civil Action No. 1:20-cv-00056-SPB-RAL

ORDER GRANTING ATTORNEY'S FEES AND INCENTIVE AWARD

Now pending before the Court is Plaintiffs' Unopposed Motion for Attorney's Fees and Approval of Incentive Award. (Doc. 41.) On February 15, 2022, the Court certified the following Settlement Class:¹ "All blind or visually disabled individuals who use screen reader auxiliary aids to navigate digital content and who have accessed, attempted to access, or been deterred from attempting to access, or who will access, attempt to access, or be deterred from accessing the Website from the United States." (Doc. 47.) The Court also granted approval to the proposed class action settlement set forth in the Agreement. (*Id.*)

Having carefully considered the pending motion, the relevant legal authority, and the Agreement and all supporting documents, the Court **GRANTS** Plaintiffs' Unopposed Motion for Attorney's Fees and Approval of Incentive Award as set forth below.

NOW, THEREFORE, IT IS HEREBY ORDERED THAT

1. Pursuant to Fed. R. Civ. P. 23, the Court hereby awards Class Counsel for the Settlement Class attorney's fees in the amounts provided below.

¹ Unless otherwise defined herein, all capitalized terms have the meaning set forth in the Settlement Agreement found at Doc. 19-1.

- a. \$28,000.00, payable pursuant to the terms of the Agreement, for attorney's fees incurred before this Final Approval Order;
- b. \$15,000.00, payable pursuant to the terms of the Agreement, for attorney's fees incurred during the Agreement Term;
- c. \$15,000.00, payable pursuant to the terms of the Agreement, for attorney's fees incurred during the First Extended Agreement Term, if applicable; and
- d. \$15,000.00, payable pursuant to the terms of the Agreement, for attorney's fees incurred during the Second Extended Agreement Term, if applicable.

2. The Court finds the award of fees is reasonable as (a) Class Counsel achieved a favorable result for the Class; (b) Class Counsel devoted substantial effort to pre- and post-filing investigation, legal analysis, and litigation; (c) Class Counsel prosecuted the Settlement Class's claims with no guarantee that Class Counsel would receive compensation for their services or recover their expenses; (d) Class Counsel employed their knowledge of and experience with class action litigation in achieving a valuable settlement for the Settlement Class, in spite of Charles Tyrwhitt's possible legal defenses and its experienced and capable counsel; (e) Class Counsel have standard contingent fee agreements with Plaintiffs, who have reviewed the Agreement and been informed of Class Counsel's fee request and have approved such request; and (f) the notice informed Settlement Class Members of the amount and nature of Class Counsel's fee request.

3. The Court further approves an incentive award in the amount of \$1,000.00 to each of the Named Plaintiffs, payable pursuant to the terms of the Agreement.

SO ORDERED.


HONORABLE SUSAN PARADISE BAXTER, U.S.D.J.